

Case Type: Personal Injury

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

Ion J. Skillrud,

Plaintiff,

SUMMONS

vs.

Home Depot U.S.A., INC., and The Home
Depot, Inc. foreign corporations doing business
in the State of Minnesota.

Defendants.

TO THE ABOVE NAMED DEFENDANTS:

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no Court file number on this Summons.

2. **YOU MUST REPLY WITHIN 21 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Bolt Hoffer Boyd Law Firm, 2150 Third Avenue North, Suite 350, Anoka, MN 55303.

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.** If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A Default Judgment can then be entered against you for the relief requested in the Complaint.

5. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

6. **ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

BOLT HOFFER BOYD LAW FIRM

Dated: 10/27/2020

By /s/ David M. Bolt
David M. Bolt, I.D. # 149044
Attorney for Plaintiff
2150 Third Avenue North, Suite 350
Anoka, Minnesota 55303
(763) 406-7000

Case Type: Personal Injury

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

Ion J. Skillrud,

Plaintiff,

COMPLAINT

vs.

Home Depot U.S.A., INC., and The Home
Depot, Inc. foreign corporations doing business
in the State of Minnesota.

Defendants.

Plaintiff for his cause of action against Defendants states as follows:

I.

At all times material herein Plaintiff has resided at 1921 Saunders, City of St. Paul,
County of Ramsey, State of Minnesota.

II.

At all times material herein, Defendant Home Depot U.S.A., INC., is a foreign
corporation licensed to do business and doing business in the State of Minnesota.

III.

At all times material herein, Defendant Home Depot U.S.A., INC., conducted systematic
and continuous business in the State of Minnesota.

IV.

At all times material herein, Defendant The Home Depot, Inc. is a foreign corporation
licensed to do business and doing business in the State of Minnesota.

V.

At all times material herein, Defendants conducted systematic and continuous business in the State of Minnesota.

VI.

On or about January 3, 2019, at approximately 2:22 P.M. Plaintiff was lawfully present on the premises owned, operated, and or maintained by Defendants Home Depot U.S.A., INC., and The Home Depot Inc. at or near The Home Depot, 3220 Denmark Ave, in the City of Eagan, County of Dakota, State of Minnesota.

VII.

At or near that time and place, Plaintiff was shopping for caulk in The Home Depot. The caulk is displayed about seven feet up on a shelf in a rack which was not secured to the shelf. As Plaintiff reached up to take two tubes of caulk the entire rack holding the caulk fell off the shelf structure, hitting the Plaintiff in the head causing injuries to Plaintiff.

VIII.

Plaintiff was injured as a result of the carelessness and negligence of the Defendants in their installation, inspection, maintenance, repair and warning of hazards associated with the shelving; and as a result of other careless and negligent acts and omissions on the part of the Defendants.

IX.

As a direct and proximate result of the negligent, careless and unlawful conduct of Defendants, Plaintiff has suffered permanent, painful and disabling injuries.

X.

As a direct and proximate result of the negligent, careless and unlawful conduct of Defendants, Plaintiff has incurred medical expenses for his care and treatment and will incur further medical expenses in the future.

XI.

As a direct and proximate result of the negligent, careless and unlawful conduct of Defendant, Plaintiff has suffered pain and discomfort and will experience such pain and discomfort for the remainder of his life.

XII.

As a direct and proximate result of the negligent, careless and unlawful conduct of Defendant, Plaintiff has been disabled and suffered a serious impairment to his ability to earn a living, has lost earnings in the past and will lose earnings in the future.

XIII.

Plaintiff is entitled to be compensated for his pain and suffering, past, present and future in a reasonable amount in excess of \$50,000.

XIV.

Plaintiff is entitled to be compensated for his loss of earnings, past, present and future, and for the impairment of his ability to earn a living in a reasonable amount in excess of \$50,000.

XV.

Plaintiff is entitled to be compensated for all medical expenses, past, present and future in an amount to be determined at the time of trial.

WHEREFORE, Plaintiff respectfully prays for judgment against Defendant for reasonable damages in an amount in excess of \$50,000, together with Plaintiff's costs, prejudgment interest and disbursements herein.

BOLT HOFFER BOYD LAW FIRM

Dated: 10/27/2020

By /s/ David M. Bolt

David M. Bolt, I.D. # 149044

Attorney for Plaintiff

2150 Third Avenue North, Suite 350

Anoka, Minnesota 55303

(763) 406-7000

ACKNOWLEDGEMENT

Plaintiff asserts these claims in good faith, and acknowledges that costs, disbursements, and reasonable attorney and witness fees may be awarded to the opposing party as provided by Minnesota Statutes Sec. 549.211, subd. 2 (1997).

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Dated: 10/27/2020

By /s/ David M. Bolt

David M. Bolt, I.D. # 149044

Attorney for Plaintiff

2150 Third Avenue North, Suite 350

Anoka, Minnesota 55303

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